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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,586	09/18/2000	Glenn Adler	US000231	4088

7590

04/07/2004

Corporate Patent Counsel  
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EXAMINER
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BECKER, SHAWN M

ART UNIT	PAPER NUMBER
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2173

124

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/663,586

Applicant(s)

ADLER, GLENN

Examiner

Shawn M. Becker

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 20-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 20-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This action is in response to communication filed 2/18/04.

#### *Claim Objections*

1. Claim 22 is objected to because of the following informalities: one of the instances of "and means" in line two of the claim should be removed. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sony CyberFrame PHD-A55 (hereinafter CyberFrame) as supported by the product review in TechTV (hereinafter TechTV), the product description in Outpost.com (hereinafter Outpost), and the Sony Hong Kong Press Release dated April 19, 1999 (hereinafter Sony Press Release) and U.S. Patent No. 6,275,375 to Nam.

In the first paragraph of the Sony Press Release, it is established that the CyberFrame was released 4/19/1999. The first two paragraphs on page 2 of the Sony Press Release describe the CyberFrame product. Therefore, the CyberFrame product was made available to the public on 4/19/1999 and the TechTV and Outpost articles describe features of that CyberFrame product.

Referring to claims 1, 20, 22, 24, and 26, the CyberFrame is a monitor having an interface with a storage medium reader that reads a digital image stored on a storage medium.

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See the second paragraph in TechTV that describes how memory sticks (storage medium) are read to display images from a digital camera. There inherently has to be a controller to process and transfer the image from the memory stick to be displayed in the display screen of the CyberFrame. There necessarily must be some sort of controller/processor for moving the image data/file from the memory stick to the display screen. The third paragraph in TechTV describes a user-interface operable to enable issuing a command to the controller to control the reading and display of the digital images on the display screen. See how the user can navigate through the images, rotate the images, and set up a slide show.

The CyberFrame has a mode of operation that enables display of a digital image from a storage medium (Memory Stick™) that does not require connection to a PC, however, the CyberFrame is not described as a monitor for a PC or as having a mode of operation that enables the display of a video signal from a PC. However, Nam discloses a monitor containing a stand with hub mount that may connect to a PC to display a digital image from the PC. See the connection to the PC (64) in Fig. 7A. The hub of Nam provides the capability to connect peripheral devices to the monitor. See Fig. 7A and col. 1, lines 20-28. It would have been obvious to one of ordinary skill in the art to provide a cable connection from the CyberFrame [separate enclosure]/(peripheral device) to the monitor of Nam in order to display the images on the Memory Stick™ of the CyberFrame onto the display of the monitor in order to see the digital images in a larger size, and to transfer images from the PC to the Memory Stick™ (TechTV, 5<sup>th</sup> paragraph) for display on the CyberFrame, such that the mode of operation for displaying the image from the CyberFrame is independent from the connection state to the PC, because the

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digital video image signal that is generated by the CyberFrame does not depend on a PC connection.

Referring to claims 2 and 26, the monitor of CyberFrame and Nam inherently has to have an image buffer in order to perform the slide show capabilities as described in the fourth feature of Outpost. The images selected by the user to be displayed in intervals are read by the memory stick reader (storage medium reader) and transferred to an image buffer for storage and display on the display screen.

Referring to claims 3 and 26, the controller of the monitor of CyberFrame and Nam is also used to perform a task, unrelated to the interface for controlling the digital image. See in the Specifications of Outpost, how there is a date and time display and a clock set, which must be performed by a controller.

Referring to claim 4, the controller of the monitor of CyberFrame and Nam processes the read digital image into a format that is compatible with the signal input of the display. See the JPEG playback in the first listed Feature in Outpost.

Referring to claims 5-6, the CyberFrame's user-interface enables the user to manipulate the image displayed, such as deleting or protecting images (stored data), sequencing the display of multiple images (slide show), resizing and rotating images. See the third paragraph of TechTV and the fourth, sixth, and seventh Features in Outpost.

Referring to claim 7, the manipulations are performed via on-screen menu selection through the user-interface. One of the Specifications in Outpost is an on-screen menu.

Referring to claim 8, the display screen is an LCD. See the second Feature in Outpost.

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Referring to claim 9, the storage medium is a memory stick. See the first paragraph in Outpost.

Referring to claim 21, the interface of CyberFrame and Nam communicates with a PC via a second cable, the interface being operative to forward a video signal from the PC to the monitor in a PC mode and to forward the video signal from the interface to the monitor in an interface mode. See Fig. 7, which shows several cables (one for the PC and one for each peripheral device, i.e. CyberFrame).

Referring to claims 23 and 25, the monitor of CyberFrame and Nam includes means for storing data transferred from a storage device on a PC to the storage device and means for transferring data from the storage device for the monitor to a storage device on the PC. See the 5<sup>th</sup> paragraph of TechTV, which describes getting images onto the Memory Stick™ via a PC. Also, see the 4<sup>th</sup> paragraph on page 2 of the Sony Press Release, which describes how images are transferable between the Memory Stick™ and a PC.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the CyberFrame, Nam, and the article entitled "Sony's \$900 Picture Frame", by Mark Gimein.

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The storage medium reader of CyberFrame and Nam is only explicitly stated as reading memory sticks. However, as Gimein points out, other types of storage medium (formats) do a good job of storing digital images and other data. See the third paragraph on page 2. It would have been obvious to one of ordinary skill in the art to modify the storage medium reader of the monitor with Memory Stick™ reader (i.e. CyberFrame) to be able to read two or more different storage media types to make the monitor compatible with other vendor's storage technology as supported by Gimein.

#### Response to Arguments

6. Applicant's arguments with respect to claims 1-10 and 11-19 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach using a TV to display information from a PC and connecting digital video signals from peripheral devices to a TV.

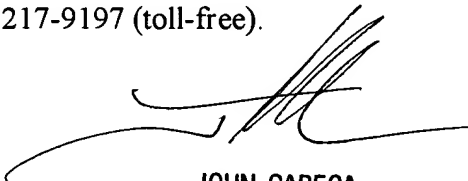
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn M. Becker whose telephone number is 703-305-7756. The examiner can normally be reached on M-Th 8:00 - 5:30 and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smb



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